

**United States Bankruptcy Court  
For the Eastern District of Texas  
Sherman Division**

IN RE:	) Case No. 04-43873
	)
GERALD & PAULA SMITH	)
	)
Debtor(s)	) Chapter 7

Trustee's Final Report, Application for Compensation,  
and Report of Proposed Distribution

CHRISTOPHER J. MOSER, the Trustee of the estate of the above named debtor(s), certifies under penalty of perjury, to the Court and United States Trustee, that the trustee has faithfully and properly fulfilled the duties of his office, that the trustee has examined all proofs of claim as appropriate in preparation for the proposed distribution, and that the proposed distribution attached hereto is proper and consistent with the law and rules of the Court. The Trustee applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document, once filed, constitutes my valid signature for the purposes of 11 U.S.C. §704(9) and Fed. R. Bankr. Pro. 9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: June 23, 2005

/s/ Christopher J. Moser, Trustee  
Christopher J. Moser, Trustee

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:	§	
	§	CASE NO. 04-43873
GERALD & PAULA SMITH	§	(Chapter 7)
	§	
DEBTOR(S)	§	

**TRUSTEE'S FINAL REPORT AND APPLICATION TO CLOSE**  
**CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and the Trustee has not been reimbursed.
2. The Trustee submits Form I. as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554 (c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II. as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowance or requests for reclassification.

SCHEDULE A-1

04-43873 Gerald & Paula Smith

A. Receipts----- \$6,005.35

B. Disbursements

1. Secured Creditors----- \$0.00

2. Administrative----- \$2,250.00

3. Priority----- \$0.00

4. Other----- \$0.00

Total Disbursements----- \$2,250.00

C. Current Balance----- \$3,755.35

**FORM 1  
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT  
ASSET CASES**

Page: 1

Case No: 04-43873 BTR Judge: BRENDA T. RHOADES  
Case Name: SMITH, GERALD WAYNE  
SMITH, PAULA INEZ  
For Period Ending: 06/23/05

Trustee Name: CHRISTOPHER J. MOSER  
Date Filed (f) or Converted (c): 08/20/04 (f)  
341(a) Meeting Date: 10/07/04  
Claims Bar Date: 02/17/05

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=554(a) Abandon DA=554(c) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. Personal Injury Litigation (u)  Debtor claimed exempt value of up to \$34,850 under 11 USC §522 (d)(1)(D) plus \$17,169 under 11 USC §522 (d)(5)	Unknown	6,000.00		6,000.00	FA
2. FINANCIAL ACCOUNTS	150.00	0.00	DA	0.00	FA
3. HOUSEHOLD GOODS  Debtor Claimed 100% Exemption on Schedule C	320.00	0.00		0.00	FA
4. BOOKS/COLLECTIBLES  Debtor Claimed 100% Exemption on Schedule C	70.00	0.00		0.00	FA
5. WEARING APPAREL  Debtor Claimed 100% Exemption on Schedule C	500.00	0.00		0.00	FA
6. FURS AND JEWELRY  Debtor Claimed 100% Exemption on Schedule C	55.00	0.00		0.00	FA
7. 1995 FORD TAUURUS  Debtor Claimed 100% Exemption on Schedule C	500.00	0.00		0.00	FA
8. 2000 HYUNDAI ELANTRA  Debtor Claimed 100% Exemption on Schedule C	3,600.00	0.00		0.00	FA
9. 2003 FORD FOCUS  Debtor Claimed 100% Exemption on Schedule C	7,650.00	0.00		0.00	FA
INT. Post-Petition Interest Deposits (u)	Unknown	N/A		5.35	Unknown

TOTALS (Excluding Unknown Values) \$ 12,845.00

\$ 6,000.00

\$ 6,005.35

Gross Value of Remaining Assets  
(Total Dollar Amount in Column 6) \$0.00

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 2

Case No: 04-43873	BTR Judge: BRENDA T. RHOADES	Trustee Name: CHRISTOPHER J. MOSER
Case Name: SMITH, GERALD WAYNE		Date Filed (f) or Converted (c): 08/20/04 (f)
SMITH, PAULA INEZ		341(a) Meeting Date: 10/07/04
		Claims Bar Date: 02/17/05

Quilling, Sclander, Cummiskey & Lownds, P.C. is employed to represent the trustee. The Trustee is a partner in the same firm. Tackett & Peugh, L.P. is employed as Special Counsel for the trustee. On Dec. 9, 2004, Order Approving Settlement Agreement with respect to item # 1 was entered. No objections to proofs of claim are needed. A tax return is not necessary. On March 17, 2005, Final Application for Allowance of Fees & Expenses of Trustee's Counsel was filed.

Initial Projected Date of Final Report (TFR): 08/31/05      Current Projected Date of Final Report (TFR): 06/23/05

FORM 2

Page: 1

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 04-43873 BTR  
Case Name: SMITH, GERALD WAYNE  
SMITH, PAULA INEZ  
Taxpayer ID No: \*\*\*\*\*6267  
For Period Ending: 06/23/05

Trustee Name: CHRISTOPHER J. MOSER  
Bank Name: BANK OF AMERICA, N.A.  
Account Number / CD #: \*\*\*\*\*6294 BoFA - Money Market Account  
Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
01/12/05	1	Texas Equal Access to Justice Foundation by Tackett & Peugh Attorneys at Law 207 W. Hickory St. Denton, TX 76201	Personal Injury Litigation	1242-000	6,000.00		6,000.00
01/31/05	INT	BANK OF AMERICA, N.A.	Interest Rate 0.100	1270-000	0.30		6,000.30
02/28/05	INT	BANK OF AMERICA, N.A.	Interest Rate 0.250	1270-000	1.15		6,001.45
03/31/05	INT	BANK OF AMERICA, N.A.	Interest Rate 0.250	1270-000	1.27		6,002.72
04/29/05	INT	BANK OF AMERICA, N.A.	Interest Rate 0.250	1270-000	1.23		6,003.95
05/02/05	000301	Quilling, Selander, Cummiskey & Lownds, P.C. 2001 Bryan Street, Suite 1800 Dallas, Texas 75201	Per Order 4/19/05 Attorney for Trustee	3110-000		2,250.00	3,753.95
05/31/05	INT	BANK OF AMERICA, N.A.	Interest Rate 0.250	1270-000	0.83		3,754.78
06/23/05	INT	BANK OF AMERICA, N.A.	INTEREST REC'D FROM BANK	1270-000	0.57		3,755.35
06/23/05		Transfer to Acct #*****4359	Final Posting Transfer	9999-000		3,755.35	0.00

COLUMN TOTALS	6,005.35	6,005.35	0.00
Less: Bank Transfers/CD's		3,755.35	
Subtotal	6,005.35	2,250.00	
Less: Payments to Debtors		0.00	
Net	6,005.35	2,250.00	

Page Subtotals 6,005.35 6,005.35

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 04-43873 BTR  
Case Name: SMITH, GERALD WAYNE  
SMITH, PAULA INEZ  
Taxpayer ID No: \*\*\*\*\*6267  
For Period Ending: 06/23/05

Trustee Name: CHRISTOPHER J. MOSER  
Bank Name: BANK OF AMERICA, N.A.  
Account Number / CD #: \*\*\*\*\*4359 BofA - Checking Account  
Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
06/23/05		Transfer from Acct #*****6294	Transfer In From MMA Account	9999-000	3,755.35		3,755.35

COLUMN TOTALS		3,755.35	0.00	3,755.35
Less: Bank Transfers/CD's		3,755.35	0.00	
Subtotal		0.00	0.00	
Less: Payments to Debtors			0.00	
Net		0.00	0.00	

TOTAL - ALL ACCOUNTS		NET DEPOSITS		NET DISBURSEMENTS		ACCOUNT BALANCE
BofA - Money Market Account - *****6294		6,005.35		2,250.00		0.00
BofA - Checking Account - *****4359		0.00		0.00		3,755.35
		6,005.35		2,250.00		3,755.35
		(Excludes Account Transfers)		(Excludes Payments To Debtors)		Total Funds On Hand

**SCHEDULE B                      04-43873    Gerald & Paula Smith**

**TRUSTEE COMPENSATION:**

Total Receipts =	\$6,005.35	
25% of first \$5,000.00 =		\$1,250.00
10% over \$5,000.00 & under \$50,000.00 =		\$100.54
5% over \$50,000.00 & under \$1,000,000.00 =		\$0.00
3% over \$1,000,000.00 =		\$0.00
Total Trustee Fees =		\$1,350.54

**UNREIMBURSED EXPENSES: (SEE EXHIBIT "A")**

Paralegal Time	0.00
Copies	0.00
Postage	0.00
Secretarial	0.00
Certified Order	0.00
Certified Mail	0.00
Travel	0.00
Federal Express	0.00
Recording Fees	0.00
Premium on Bond	<u>0.00</u>

**TOTAL UNREIMBURSED EXPENSES =                      0.00**



RECORDS:

Trustee did not take possession of business or personal records of debtor.

X

Trustee did take possession of business or personal records of debtor.

Notice given to debtor on \_\_\_\_\_  
to pick up business or personal records in hands of Trustee. If not picked up within 30 days such records or work files may be destroyed.

**Exhibit "A"  
Expenses**

Paralegal Time:

Preparation of Deposits (2) & Checks (0)  
Request Bar Date  
Reconcile Bank Balance  
Trustee's Final Report  
Distribution Checks  
Trustee's Final Account

	<u>Time</u>	<u>Expense at \$30 / hr</u>	<u>Expense at \$60 / hr</u>	<u>Total Expense</u>
Preparation of Deposits (2) & Checks (0)	0.0	0.00		0.00
Request Bar Date	0.0	0.00		0.00
Reconcile Bank Balance	0.0	0.00		0.00
Trustee's Final Report	0.0		0.00	0.00
Distribution Checks	0.0		0.00	0.00
Trustee's Final Account	0.0		0.00	0.00

**Total Paralegal Time**

0.00 0.00 0.00

Copies, Postage & Secretarial:

Data Entry for Form 1  
Distribution Checks (quantity = 5)

	<u>No. of Copies</u>	<u>Cost of Postage</u>	<u>Secretarial Hours</u>	<u>Certified Order</u>	<u>Certified Mail</u>	<u>Travel Miles</u>
--	----------------------	------------------------	--------------------------	------------------------	-----------------------	---------------------

\$0.00 0.00

**Column Totals**

0 0.00 0.00 0.00 0.00 0.00

Paralegal Time	0.00
Copies = \$0.25 each	0.00
Postage	0.00
Secretarial @ \$15.00 per hr	0.00
Certified Order	0.00
Certified Mail	0.00
Travel \$0.405 per mile	0.00
Federal Express	0.00
Recording Fees	0.00
Premium on Bond	0.00
<b>Grand Total =</b>	<b>\$0.00</b>

**SCHEDULE C**  
**EXPENSES OF ADMINISTRATION**

04-43873 Gerald & Paula Smith

	AMOUNT <u>CLAIMED</u>	AMOUNT <u>PAID</u>	AMOUNT <u>DUE</u>
1 11 U.S.C. Sec 507(a)(1) <u>Court Cost &amp; Fees</u> A. Notice & Claim Fees B. Adv. Filing Fees C. Quarterly Chapt 11			
2 11 U.S.C. Sec 503(b)(1)(a) <u>Preservation of Estate</u> A. Transportation B. Storage C. Wages D. Estates share FICA E. Watchman F. Insurance G. Upkeep H. Advertising I. Expenses in Sale of Real Estate J. Trustee's Bond			
3 11 U.S.C. Sec 503(b)(2) <u>Post-Petition Taxes</u> <u>and Related Penalties</u>			
4 11 U.S.C. Sec 503(b)(2) <u>Compensation and Reimbursement</u> A. Trustee Fees B. Trustee Expenses C. Attorney to Trustee D. Expenses for Attny to Trustee E. Attorney to Debtor F. Expenses for Attny to Debtor G. Auctioneers Fees H. Auctioneers Expenses I. Appraiser J. Accountant Fees K. Accountant Expense	1,350.54 0.00 2,250.00 0.00   0.00 0.00  0.00 0.00	0.00 0.00 2,250.00 0.00   0.00 0.00  0.00 0.00	1,350.54 0.00 0.00 0.00   0.00 0.00  0.00 0.00
5 11 U.S.C. Sec 503(b)(3) <u>Expenses of Creditors</u> <u>or Committees</u>			
6 11 U.S.C. Sec 503(b)(4) <u>Compensation of Professionals</u> <u>for Creditors or Committees</u>			
7 Other			
TOTAL	\$3,600.54	\$2,250.00	\$1,350.54

**SCHEDULE D****04-43873 Gerald & Paula Smith****PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES  
IN THE FOLLOWING ORDER OF PRIORITY**

	(1) Claim No.	(2) Amount <u>Claimed</u>	(3) Amount <u>Allowed</u>	(4) Amount <u>Paid</u>	(5) Amount <u>Due</u>
1	For Credit Extended Sec 364(e)(1)				
2	Claims from Failure of adequate protection Sec. 307(a)(b)				
3	"Gap Claims" Sec. 507(a)(2)				
4	Wages, etc. Sec. 507(a)(3)				
5	Contributions to benefit plans Sec. 507(a)(4)				
6	Engaged in raising of grain or fisherman Sec. 507(a)(5)				
7	Consumer Deposits Sec. 507(a)(6)				
8	Alimony or Support or Child; Sec. 507(a)(7)				
9	Taxes Sec. 507(a)(8)				

**TOTAL ALLOWED PRIORITY CLAIMS:        \$0.00**

SCHEDULE E     04-43873   Gerald & Paula Smith

SECURED CLAIMS

Claim		(1)	(2)	(3)	(4)	(5)
<u>No.</u>	<u>Creditor</u>	Amount of	Amount not	Amount	Amount	Amount
		<u>Claim</u>	<u>Determined</u>	<u>Allowed</u>	<u>Paid</u>	<u>Due</u>

Total of ALLOWED Secured Claims:                      \$0.00

-----

Total UNSECURED CLAIMS Allowed:                      \$7,315.66

## Eastern District of Texas Claims Register

**04-43873 Gerald Wayne Smith and Paula Inez Smith**

**Honorable Brenda T. Rhoades**

**Debtor Name: SMITH,GERALD WAYNE**

<b>Claim No: 1</b>	Creditor Name: Kohl's Department Store c/o Creditors Bankruptcy Service P. O. Box 740933 Dallas, TX 75374	Last Date to File Claims: 02/17/2005 Last Date to File (Govt): 05/18/2005 Filing Status: Docket Status: Late: N
Claim Date: 01/10/2005	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	<del>\$678.66</del>	
<b>Total</b>	<del>\$678.66</del>	
Description: <span style="float: right; font-size: 1.2em;">\$ 678.86</span>		
Remarks:		

<b>Claim No: 2</b>	Creditor Name: Citibank USA, N.A. DBA: Catherines P O Box 9025 Des Moines, IA 50368	Last Date to File Claims: 02/17/2005 Last Date to File (Govt): 05/18/2005 Filing Status: Docket Status: Late: N
Claim Date: 02/03/2005	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$275.87	
<b>Total</b>	<b>\$275.87</b>	
Description:		
Remarks:		

<b>Claim No: 3</b>	Creditor Name: Citibank (USA) N.A. 4300 Westown Parkway West Des Moines, IA 50266	Last Date to File Claims: 02/17/2005 Last Date to File (Govt): 05/18/2005 Filing Status: Docket Status: Late: N
Claim Date: 02/08/2005	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:

Class	Amount Claimed	Amount Allowed
Unsecured	\$1930.98	
<b>Total</b>	<b>\$1930.98</b>	
<i>Description:</i>		
<i>Remarks:</i>		

<b>Claim No: 4</b>	Creditor Name: Discover Bank Discover Financial Services PO Box 8003 Hilliard, OH 43026	Last Date to File Claims: 02/17/2005 Last Date to File (Govt): 05/18/2005 Filing Status: Docket Status: Late: N
Claim Date: 12/06/2004	Amends Claim No: Amended By Claim No:	Duplicates Claim No: Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
<del>Secured</del>	\$4429.95	
<b>Total</b>	<b>\$4429.95</b>	
<i>Description:</i> <b>unsecured</b>		
<i>Remarks:</i> DOCKETED TO CASE #04-44378 IN ERROR		

### Claims Register Summary

**Case Name:** Gerald Wayne Smith and Paula Inez Smith

**Case Number:** 2004-43873

**Chapter:** 7

**Date Filed:** 08/20/2004

**Total Number Of Claims:** 4

	Total Amount Claimed	Total Amount Allowed
Unsecured	<del>\$2885.51</del>	
Secured	<del>\$4429.95</del>	
Priority		
Unknown		
Administrative		
<b>Total</b>	<b>\$7315.46</b>	

**\$ 7,315.66 unsec**

<b>PACER Service Center</b>		
<b>Transaction Receipt</b>		
06/23/2005 15:23:32		
<b>PACER Login:</b>	cm1174	<b>Client Code:</b>

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:	§	
	§	CASE NO. 04-43873
GERALD & PAULA SMITH	§	(Chapter 7)
	§	
DEBTOR(S)	§	

**TRUSTEE'S REPORT OF  
PROPOSED FINAL DISTRIBUTIONS**

The undersigned trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution upon certification by the U.S. Trustee unless written objection thereto is filed and served on the trustee and on the U.S. Trustee.



04-43873 Gerald & Paula Smith

1 Balance on hand		\$3,755.35
2 Administrative Expenses to be paid (see attached schedule of payees and amounts)	\$1,350.54	
3 Priority Claims to be paid (see attached schedule of payees and amounts)	\$0.00	
4 Secured Claims to be paid (see attached schedule of payees and amounts)	\$0.00	
5 Unsecured Claims to be paid (see attached schedule of payees and amounts)	\$2,404.81	
6 Miscellaneous distributions to be paid (see attached schedule of payees and amounts) Surplus to Debtor		
7 Total Distributions to be made.	\$3,755.35	
8 Zero Balance		\$0.00

/s/ Christopher J. Moser  
Christopher J. Moser  
2001 Bryan Street, Suite 1800  
Dallas, Texas 75201

# PROPOSED DISTRIBUTION

Case Number: 04-43873      BTR

Page 1

Date: June 23, 2005

Debtor Name: SMITH, GERALD WAYNE \ SMITH, PAULA INEZ

Claim #	Payee Name	Class	Priority	Amt Claimed * Amt Allowed	Paid to Date	Claim Balance	Proposed Pymt	Funds Remaining
Beginning Balance								\$3,755.35
<b>Claim Type -</b>								
	CHRISTOPHER J. MOSER COMPENSATION	Admin		\$1,350.54 * \$1,350.54	\$0.00	\$1,350.54	\$1,350.54	\$2,404.81
	Percent Paid: 100.0000 %							
	CHRISTOPHER J. MOSER EXPENSES	Admin		\$0.00 * \$0.00	\$0.00	\$0.00	\$0.00	\$2,404.81
<b>Subtotal For Claim Type</b>				\$1,350.54 * \$1,350.54	\$0.00	\$1,350.54	\$1,350.54	
Subtotals For Class Administrative				100.0000 %	\$1,350.54 * \$1,350.54	\$0.00	\$1,350.54	\$1,350.54
<b>Claim Type 7100-00 - General Unsecured 726(a)(2)</b>								
000001	Kohl's Department Store	Unsec	070	\$678.66 * \$678.86	\$0.00	\$678.86	\$223.16	\$2,181.65
	Percent Paid: 32.8728 %							
000002	Citibank USA, N.A.	Unsec	070	\$275.87 * \$275.87	\$0.00	\$275.87	\$90.68	\$2,090.97
	Percent Paid: 32.8706 %							
000003	Citibank (USA) N.A.	Unsec	070	\$1,930.98 * \$1,930.98	\$0.00	\$1,930.98	\$634.75	\$1,456.22
	Percent Paid: 32.8719 %							
000004	Discover Bank	Unsec	070	\$4,429.95 * \$4,429.95	\$0.00	\$4,429.95	\$1,456.22	\$0.00
	Percent Paid: 32.8722 %							
<b>Subtotal For Claim Type 7100-00</b>				\$7,315.46 * \$7,315.66	\$0.00	\$7,315.66	\$2,404.81	
Subtotals For Class Unsecured				32.8721 %	\$7,315.46 * \$7,315.66	\$0.00	\$7,315.66	\$2,404.81
<< Totals >>				\$8,666.00 \$8,666.20	\$0.00	\$8,666.20	\$3,755.35	\$0.00

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution.



Christopher J. Moser, Trustee  
2001 Bryan Street, Suite 1800  
Dallas, Texas 75201

Page: 1  
Date: 3/17/05  
Client No.: 3001.0336M

Re: Gerald and Paula Smith

		Hours		<u>Category</u>
10/08/04	HMJ Telephone call to Daniel Peugh, attorney handling personal Injury claim, regarding background of claim (.5); Researched and reviewed exemptability of personal injury Recovery under federal exemptions (.5); Prepare and file Application to Employ General Counsel (.4); Prepare Order (.2); Prepare Application to Employ Special Counsel (.6); Review fee agreement of Peugh (.2).	2.4	\$ 420.00	PC-1
10/01/04	HMJ Complete draft of special counsel application to employ (.7); Prepare service list (.3); Prepare affidavit of special counsel (.3); Telephone call with special counsel regarding affidavit (.2); Prepare order to employ special counsel (.3).	1.8	\$ 315.00	PC-7
10/14/04	HMJ Telephone call to special counsel to discuss status of Litigation and mediation (.3); Review amended exemptions (.2) Prepare Objection to Exemptions (1.0); Prepare Order (.4).	1.9	\$ 332.50	PC-7/PC-1
10/18/04	HMJ Review email from special counsel regarding mediation (.1); Telephone call to D. Peugh regarding mediation and settlement prospects (.3); Telephone call with Debtor's counsel regarding mediation and possible settlement (.2).	.6	\$ 105.00	PC-1
10/20/04	HMJ Prepare for settlement call with Dan Durand (.3); Conference call with Dan Durand regarding allocation of mediation recovery (.3).	.6	\$ 105.00	PC-1



10/29/04

HMJ Prepare for mediation (.4); Review case law regarding stacking exemptions (.4); Review elements of damages in case and estimate available exemptions and potential non-exempt proceeds (.3).

1.1 \$ 192.50 PC-1

11/02/04

HMJ Review mediation letter and state court petition (.5); Call to D. Peugh regarding mediation (.1); Research and review secondary material and case law on trustee's control of pending lawsuit given exemption claim (.9).

1.5 \$ 262.50 PC-1

11/03/04

HMJ Phone call to D. Durand, debtor's counsel regarding mediation and allocation of potential settlement among damage claims (.2); Review case law on exemption claims of pending personal injury litigation (.3).

.5 \$ 87.50 PC-1

11/08/04

HMJ Phone call with special counsel regarding mediation and settlement possibilities (.3); Telephone call with Dan Durand regarding exemption issues and settlement possibilities (.3); Prepare for mediation including reviewing schedules, objection to exemptions, responses thereto, attorney fee issues, and allocation issues (1.9).

2.5 \$ 437.50 PC-1

11/09/04

HMJ Attend mediation (4.3); Conference with Trustee regarding settlement (.2); Begin drafting settlement motion and settlement agreement (1.4).

5.9 \$ 1,032.50 PC-1

11/10/04

HMJ Complete draft of Motion to Settle (1.4); Prepare affidavit (.2); Prepare Order (.3).

1.9 \$ 332.50 PC-1

11/16/04

CJM Attend hearing on exemptions (1.2).

1.2 \$ 300.00 PC-1

1/12/05

HMJ Review status of settlement and motion to approve settlement (.3); Follow up with parties regarding effectuating settlement (.3); Review settlement documents from personal injury attorney (.4); Follow up with A. Barta regarding funding settlement and signing releases (.3).

1.3 \$ 227.50 PC-1

3/15/05

CJM Prepared Final Fee Application (1.9); Prepared Order (.2). 2.1 \$ 525.00

PL-7

For Current Services Rendered 25.3 \$ 4,675.00

Expenses:

Photocopies \$ 28.45

Postage \$ 16.47

For Expenses: \$ 44.92

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
Christopher J. Moser	3.3	\$ 250.00	\$ 825.00
Hudson M. Jobe	22.0	\$ 175.00	\$ 3,850.00

Total Current Work \$ 4,675.00

Total Current Expenses \$ 44.92

**Balance Due** \$ 4,719.92